

CHAPTER 6

ACADEMIC AFFAIRS - FACULTY

Sections:

- 6.010. Principles of Academic Freedom, Tenure, and Professional Ethics
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6.010. Principles of Academic Freedom, Tenure, and Professional Ethics. The guiding philosophies regarding academic freedom, tenure, and professional ethics are used to establish policies related to University faculty members.

6.010.1. Purpose. The Board has affirmed its belief in sound principles of academic freedom and academic tenure as stated by the American Association of University Professors (AAUP) in the "1940 Statement of Principles on Academic Freedom and Tenure" which is quoted as follows:

Institutions of higher education are conducted for the common good and not to further the interest of either the individual teacher or the institution as a whole. The common good depends upon the free search for truth and its free exposition.

Academic freedom is essential to these purposes and applies to both teaching and research. Freedom in research is fundamental to the advancement of truth. Academic freedom in its teaching aspect is fundamental for the protection of the rights of the teacher in teaching and of the student to freedom in learning. It carries with it duties correlative with rights.

Tenure is a means to certain ends; specifically; (1) Freedom of teaching and research and of extramural activities, and (2) A sufficient degree of economic security to make the profession attractive to [people] of ability. Freedom and economic security, hence tenure, are indispensable to the success of an institution in fulfilling its obligations to its students and to society.

6.010.2. Academic Freedom. The University will adhere to the following guiding philosophy of academic freedom that is endorsed by the Board:

Academic freedom is the freedom to discuss all relevant matters in the classroom, to explore all avenues of scholarship, research, and creative expression, and to speak or write without institutional discipline or restraint on matters of public concern as well as on matters related to professional duties and the functioning of the University.

Academic responsibility implies the faithful performance of professional duties and obligations, the recognition of the demands of the scholarly enterprise, and the candor to make it clear that when one is speaking on matters of public interest, one is not speaking for the institution. [Policy amendments adopted by the University of Minnesota Board of Regents in June 2009] (AAUP Redbook, 11th edition, 2015)

6.010.3. Tenure. The following philosophy guides policies relating to tenure at the University:

After the expiration of a probationary period, teachers or investigators should have permanent or continuous tenure, and their services should be terminated only for adequate cause, ... or under extraordinary circumstances because of financial exigencies. (AAUP "1940 Statement of Principles on Academic Freedom and Tenure")

Policies regarding awarding of tenure can be found in section 6.030.2. Tenured faculty members who are dismissed for cause will have full rights of due process, as described in section 6.040.4. Termination of a tenured faculty member due to financial exigency will be demonstrably bona fide (see Code of Policies Chapter 10).

6.010.4. Professional Ethics. All faculty members at the University will be expected to abide by professional ethics. The Board endorses the AAUP's "Statement of Professional Ethics (2009 revision)," which states:

Professors, guided by a deep conviction of the worth and dignity of the advancement of knowledge, recognize the special responsibilities placed upon them. Their primary responsibility to their subject is to seek and to state the truth as they see it. To this end, professors devote their energies to developing and improving their scholarly competence. They accept the obligation to exercise critical self-discipline and judgment in using, extending, and transmitting knowledge. They practice intellectual honesty. Although professors may follow subsidiary interests, these interests must never seriously hamper or compromise their freedom of inquiry.

Furthermore, faculty members are to engage in academic collegiality and professional conduct through encouraging "the free pursuit of learning in their students," demonstrating "respect for their students," defending "the free inquiry of associates, even

when it leads to findings and conclusions that differ from their own,” being “effective teachers and scholars,” avoiding discriminatory treatment of all members of the University community, and avoiding the impression of speaking for the University when they speak as a private person.

- 6.020. Faculty Senate. The Faculty Senate shall be considered as representative of instructional staff, professional personnel of the University who have substantial academic responsibilities, administrators who have faculty qualifications and substantial academic responsibilities, and the undergraduate and graduate body (in the capacity of advisers and consultants). Within the framework established by the statutes and the Board of Governors, the Faculty Senate shall be a deliberative and legislative body for academic matters and for University policies pertaining to promotion, tenure, and sabbatical leave. In regard to other issues affecting faculty and academic community, including budgetary matters and academic leave without pay, the Faculty Senate shall be an advisory body to the President, Vice President for Finance, Provost, and Board of Governors through channels established by the Board. The President is an *ex officio* member of Faculty Senate and other administrators (including the Executive Vice President for Academic Affairs and Provost, Associate Provost, and Deans) are invited guests. The Faculty Senate has the authority to establish within their Constitution and Bylaws the procedures and eligibility requirements for its membership, standing and *ad hoc* committees, as well as faculty voting rights related to Faculty Senate matters. The Faculty Senate Constitution and Bylaws may be amended according to the procedures set forth in such documents, subject to approval of such amendments by the Board of Governors. Schools and Departments shall determine voting rights and procedures for faculty and academic matters beyond Faculty Senate purview.

6.030. Faculty Positions, Rank, Tenure, and Promotion. Faculty positions are those where the principal services performed by the holder thereof include teaching and advising, scholarship, and service to the university, the profession, and the community. The Department Chair is a faculty member with assigned administrative responsibilities to provide leadership to an academic department(s).

6.030.1. Faculty Positions and Titles.

1. Types of Appointments

- a. Tenure-track appointments begin on a specified date and are for a period of one academic year. Faculty on tenure-track appointments are on probationary status with contracts that are renewed annually based on performance up to the point when they are required to apply for tenure and promotion following the tenure and promotion guidelines (Section 6.030.3).
- b. Tenure appointments are continuous appointments that begin on a specified date but have no termination date.
- c. Term faculty positions are those where the principal services performed by the holder thereof are primarily teaching. Term appointments begin on a specified date and terminate on a specified date. Term appointments usually are for a period of one academic year but may be for a shorter or longer period, up to a fiscal year. Term appointments may be either full-time or part-time. Term appointments may be renewed, but no number of reappointments to any term position shall create any presumption of a right to reappointment. Holders of faculty positions under term

appointments shall have no right to tenure. This policy does not preclude term faculty from applying for open tenure-track positions.

- i. Summer, interim, and special session appointments shall be considered term, irrespective of the title applied thereto.
- ii. Less than .75 FTE appointments shall be considered term, whatever the title thereof may be.
- iii. The appointment of Federal and State employees or appointees attached or assigned to the University, by special appointment or on a temporary basis shall be term, whatever the title and office may be.
- iv. Appointments made in connection with a special department, program, or institute of an experimental or temporary character may be terminated when the project is discontinued. All such appointments shall be considered term, whatever the titles thereof may be.

2. Classification of Faculty by Title and Rank

- a. Tenured and tenure-track faculty will hold titles of Assistant Professor, Associate Professor, or Professor.
- b. Full-time faculty on term appointments with terminal degrees will hold the title of Assistant Professor. Full-time faculty on term appointments without terminal degrees will hold the title of Instructor. The condition of employment for term faculty will be noted in their contract as “temporary.”
- c. Except where otherwise specified, all part-time faculty members will hold the title of Lecturer.

- d. Retired faculty without Emeritus status, who continue to teach part-time, shall be identified by their last title followed by “retired” (e.g. Assistant Professor, Retired). Retired faculty with Emeritus status, who continue to teach part-time, shall be identified by their last title followed by Emerita/Emeritus of [discipline that was on their last contract prior to retiring].
 - e. Part-time faculty members in Nursing and Communication Disorders will hold the title of Clinical Instructor due to the clinical component of the position and to better reflect those responsibilities.
 - f. Graduate students who hold term appointments will have the title of Graduate Teaching and Research Assistant.
3. Administrative Personnel. The functions, titles, and status of administrative personnel shall be distinct and severable from their functions, titles, and status, if any, as faculty members. This includes, but is not limited to, the President, Executive Vice President for Academic Affairs and Provost, the Deans, Directors, Departments Chairs, other administrators of academic services, and coaches of intercollegiate athletics.
 4. Notice of Appointment. Each appointee to the faculty shall receive written notice thereof which includes the following information:
 - a. Whether the position is tenured, tenure track, or term;
 - b. The duration of appointment for a term or tenure-track position and whether it is renewable/eligible for reappointment; and
 - c. For tenure-track appointments, notice of tenure requirements and a written copy thereof.

5. Termination during Appointment Term. Faculty appointments shall not be terminated during the appointment period thereof except for cause as set forth in the Code of Policies 6.040, or under extraordinary circumstances because of financial exigencies as defined in Code of Policies Chapter 10.
6. Notice of Non-Reappointment. Tenure-track and full-time term faculty members who are not to be reappointed following their first year of employment shall be notified of such decision prior to March 1 of their first year of appointment. Full-time term faculty members who are not to be reappointed following their second or any subsequent year of employment shall be notified of such decision prior to December 15. Tenure-track faculty who are not to be reappointed following their second year of appointment shall be notified of such decision prior to December 15 of their second year of appointment. Tenure-track faculty who are not to be reappointed following their third, fourth, fifth, or sixth year of appointment, shall be notified not less than one year in advance of their final date of employment.

6.030.2. Tenure.

1. Holders of tenured faculty positions shall have continuous appointments, subject to termination only for cause as specified in Code of Policies 6.040.4 or under extraordinary circumstances because of financial exigencies as defined in Code of Policies Chapter 10. Due consideration shall be given to seniority in terms of academic rank and length of service in the event certain continuous appointments must be terminated because of financial exigencies or elimination of academic programs.

Upon successful completion of the tenure-track probationary period and application for tenure, the faculty member shall be awarded tenure to the University and assigned continuous appointment to one or more academic units. Concurrent with the review for tenure, the faculty member will undergo a review for promotion to Associate Professor, unless that rank has been previously conferred.

3. No person shall lose tenure already acquired if they are granted a leave of absence, if they are promoted, or if they accept appointment to a part-time faculty position or to an administrative position, unless the appointment is subject to the express condition that they release or waive any such tenure. In the event that a tenured faculty member whose program is discontinued accepts an appointment that is normally a term position, that faculty member shall retain tenure, unless the appointment is subject to the express condition that they release or waive any such tenure.
4. The removal of any person from an administrative position shall not impair their tenure rights, if any, as a faculty member.

6.030.2.1. Computing Years of Service Toward Tenure and Promotion.

1. Years of service toward tenure and promotion shall be computed in terms of academic years beginning with the first full-year contract. The following period of service shall be excluded:
 - (a) service under any appointment involving duties substantially different from duties in a tenure-track position; and
 - (b) service under summer or interim session appointments.

2. Periods of service need not be continuous but shall be cumulative, except that any period of service for less than one academic year may be disregarded. However, faculty shall receive credit for service during all legally protected leaves of absence, such as FMLA or military leave.

6.030.2.2. Delaying the Tenure and Promotion Review Period (“Pausing the Clock”).

1. Reasons for Pausing the Clock. The tenure and promotion review periods described in Section 6.030.3 may be delayed, upon proper application by any tenure-track faculty member, using the process and criteria set forth in this section. When properly authorized pursuant to this section, pausing the tenure and promotion clock will result in specific periods of employment time that do not count toward tenure and promotion service. This process will allow the tenure-track faculty member and the University to agree to adjust the pace and timing of tenure and promotion service. Under no circumstances will the pausing of the tenure and promotion clock result in any alteration of the criteria of expected performance for successful grant of tenure status and promotion nor any alteration in the application of the criteria or the judgments made based on the criteria.
 - (a) Tenure-track faculty members shall have the option to request pausing of the tenure and promotion clock in one-year increments, either in conjunction with or separate from a reassignment or leave granted pursuant to other provisions of the Board of Governors’ Code of Policies. Pausing the tenure and promotion clock must be applied for and granted without regard to leave or reassignment status. The decision by the University to grant a

pausing of the tenure and promotion clock will be separate from any decision regarding proposed reassignment or grant of leave.

(b) Tenure-track faculty members may request that the tenure and promotion clock be paused when any of the following circumstances would seriously impair the faculty member's capacity to build the record of accomplishment they judge appropriate for professional satisfaction and tenure and promotion review:

- i. Physical or mental illness or other physical condition;
- ii. Pregnancy, birth of a child, adoption, or foster child placement;
- iii. Substantial caregiver responsibility for the faculty member's spouse, partner, parent, or child;
- iv. Military service or obligations; or
- v. Other unusual circumstances that significantly impair the faculty member's ability to devote his or her full time and attention to teaching and scholarship.

Note that the use of sick leave, FMLA, or other protected leave will not automatically result in pausing the tenure and promotion clock. Faculty members must affirmatively request that the clock be paused during periods of leave. A faculty member who requests and receives approval to pause the tenure and promotion clock but is not on leave will continue to perform regular duties.

(c) Pursuant to this policy, the University will agree to pausing the tenure and promotion clock for one academic year for any single circumstance cited in the applicant's request for pausing the clock.

Further, the University will grant a pause to the clock for no more than two academic years, total, for any tenure-track faculty member.

- (d) In the event that the University agrees to pause the tenure and promotion clock as requested by a tenure-track faculty member, this pause will operate to delay every aspect of the tenure and promotion process, including all intermediate steps toward tenure and promotion review and approval.
- (e) Requests to pause the clock must be made before the faculty member is considered for promotion or tenure. The University will not consider requests to pause the clock retroactively.
- (f) An application for pausing the tenure clock during the year of tenure/non-renewal decision should not be approved except for well-documented emergencies.

2. Procedure for Pausing the Clock.

- (a) A written request to delay the academic review period (pause the tenure and promotion clock) should be submitted to the Department Chair as soon as the faculty member recognizes the disruption to their life is of sufficient scale and duration to significantly impair their capacity to build a record of accomplishment judged appropriate for tenure and/or promotion review. The faculty member should not make such an application based on qualifying events and/or effects that are already completed and otherwise resolved. The purpose of pausing the clock is to provide an additional year to work toward tenure because of an existing extenuating circumstance, not retroactively to evaluate a

candidate's entire probationary period and provide additional opportunity for remediation of criteria-based achievement. Except for well-documented emergencies, no request for extension will be considered or granted later than the date by which Deans request confirmation of intent to undergo review at the beginning of the academic year in which the review is to occur. If the Department Chair approves, the Chair's approval letter should include a description of how the delay of the academic review period is expected to change the timeline for tenure and promotion review, including all remaining formative and summative reviews. The Chair's letter is sent to the Dean. If the Dean approves, the approval letter will be forwarded to the Provost for final approval.

(b) Requests for delaying the Academic Review Period for all circumstances must be approved by the Department Chair, Dean, and Provost. Routine approval is expected for birth/adoption of a child, use of parental leave, FMLA, and leave related to military service. Requests that are denied at any administrative level can be appealed to the next administrative level.

3. Exceptions. Requests for an exception to this policy must be submitted in writing to the Provost.

6.030.2.3 Locus of Tenure. The locus of tenure is in the University. Assignment of tenured faculty will normally be to academic departments, but tenured faculty may be assigned by consent to other professional duties. Tenure, once granted, remains in the University.

1. Reassignments.

- a. Discretionary Reassignments within a Department/School. With the approval of the Provost, Deans have the discretion to make assignment changes within their academic units, e.g., changes of Department Chairs. Such reassignments do not represent sanctions and are not subject to review by the Faculty Conduct Committee.
- b. Reassignment with Consent. A faculty member may be removed from teaching assignments or reassigned to other University units by the Provost if they consent to the reassignment. A memorandum of understanding (MOU) regarding the reassignment shall be drafted by the Provost and faculty member. The faculty member will have up to seven (7) calendar days to sign the MOU. Refusal to consent to a reassignment may not, in itself, be used as a basis for disciplining a faculty member.
- c. Reassignment without Consent. A faculty member may be temporarily reassigned for up to one academic year by the Provost without their consent in exceptional circumstances for the good of the University. The existence of the exceptional circumstances must be verified by the Department Chair, Dean, and Provost (all three must agree).
- d. Appeal. The faculty member may provide a written appeal of the Provost's reassignment decision to the President within seven (7) days of notification of the reassignment.

6.030.3. Tenure and Promotion to Associate Professor Review Procedure.

1. Unless otherwise agreed upon at the time of hire, tenure-track faculty members undergo a review for tenure and promotion to Associate Professor concluding the probationary period during the sixth year of service as specified in Faculty Senate

Bill 8408. If a faculty member is granted promotion and tenure, those will be effective at the beginning of the seventh year. If a faculty member is denied tenure, they will have one additional, final year at the University.

2. Administrative reviews will occur on an annual basis for probationary faculty on tenure-track appointments. The primary purposes of the administrative review are to provide feedback to the faculty member that clearly specifies whether the faculty member is making satisfactory progress in areas of teaching and advising, scholarship, and service and to identify and discuss any other issues that may impact job performance. The administrative review serves as a record of employment for subsequent action related to performance. In the years when a decision is being made regarding tenure or promotion, faculty members will undergo both administrative and peer review processes.
3. A peer review committee reviews a tenure-track faculty member during the tenure/promotion review year and in the third year preceding the tenure/promotion review year. The primary purpose of peer review prior to the tenure and promotion review year is to provide feedback to the faculty member that clearly specifies whether, in the judgment of their peers, they are making satisfactory progress in areas of teaching and advising, scholarship, and service as designated in Faculty Senate Resolution 1322 and their departmental guidelines. In the year of the tenure and promotion review, the peer review committee is responsible for making a recommendation whether to tenure and promote based upon evidence of performance produced by the faculty member.
4. Recommendations on whether to tenure and promote are made in the following order: Peer Review Committee to Department Chair; Department Chair to

Academic Dean; Academic Dean to Executive Vice President for Academic Affairs and Provost; Executive Vice President for Academic Affairs and Provost to President; President to Board of Governors. At each of these recommendation points, the candidate for tenure and promotion shall receive a copy of the recommendation being made and has the right to submit a written response including additional pertinent evidence within the designated period for responding. Any submitted response would then become a part of the accumulated review materials.

5. The Board of Governors makes the final decision on the awarding of tenure.

6.030.3.1. Basis for Tenure and Promotion to Associate Professor. The policies in respect to tenure and promotion are based on the University's *Model of the Teacher/Scholar* in which a faculty member is expected to reflect characteristics critical to student learning and adherence to a professional standard of integrity. In particular, faculty members must demonstrate contributions in the areas of teaching and advising, scholarship, and service. In order to demonstrate achievements and contributions worthy of tenure and promotion, a faculty member will prepare a portfolio of evidence documenting the faculty member's attainment of satisfactory standards in teaching including advising, scholarship, and service as defined in Faculty Senate Resolution 1322 that will undergo rigorous review that originates with a committee of the faculty member's peers. A faculty member who has been recommended for serious discipline will not be considered for tenure or promotion unless/until the faculty member has been exonerated or the serious discipline remediated. In addition to the University guidelines, each School may have and each Department has guidelines for tenure and promotion requirements. Each faculty member will work with their Department Chair

- and Academic Dean to develop appropriate evidence based on University, School, and Department guidelines for the demonstration of quality teaching activity that advances student learning, scholarship that encompasses academic and creative contributions to the intellectual life of the university and the profession, and service that offers contributions to the university, the profession, and the enrichment of campus life, as well as discipline-based or university mission-oriented contributions to the community.
- 6.030.3.2. Evaluation. Tenure and promotion application materials submitted in portfolios shall be evaluated based on the established criteria at the time of hire as designated above and as developed by the Schools and Departments. Administrative reviews occur on an annual basis for probationary faculty on tenure-track appointments. Peer reviews occur in the third year preceding the tenure and promotion review and at the point when a decision is being made about tenure and promotion. In the years when a decision is being made regarding tenure or promotion, faculty members will undergo both administrative and peer review processes. Administrative reviews, peer review committee reports, and tenure portfolios serve as a record of employment to be used in the evaluation process.
- 6.030.4. Promotions in Academic Rank beyond Associate Professor. Only tenured faculty shall be eligible for promotion in rank to Full Professor. Promotions in academic rank to Full Professor are determined according to the following standards.
- 6.030.4.1. Basis for Promotion. The policies in respect to promotions are based on the University's *Model of the Teacher/Scholar* in which a faculty member is expected to reflect the characteristics critical to student learning and adherence to a professional standard of integrity. In particular, faculty members must demonstrate measurable contributions in the areas of teaching and advising, scholarship, and service. In order to demonstrate

achievements and contributions worthy of promotion, a faculty member will prepare a portfolio of evidence documenting the faculty member's attainment of satisfactory standards in teaching including advising, scholarship, and service as defined in Faculty Senate Resolution 1322 that will undergo a rigorous review that originates with a committee of the faculty member's peers. In addition to the University guidelines, each School may have and each Department has guidelines for promotion requirements. Each faculty member will work with their Department Chair and Academic Dean to develop appropriate evidence based on University, School, and Department guidelines for the demonstration of quality teaching activity that advances student learning, scholarship that encompasses academic and creative contributions to the intellectual life of the university and the profession, and service that offers contributions to the university, the profession, and the enrichment of campus life, as well as discipline-based or university mission-oriented contributions to the community.

6.030.4.2. Application for Promotion.

1. Number of Years in Rank. Unless otherwise negotiated at the time of hire, faculty members are expected to serve a minimum of six years in rank at the University in order to qualify for promotion from Associate Professor to Professor.
 - a. Serving the minimum number of years in rank is not an assurance or guarantee of promotion either at the completion of the minimum period or at any later time.
 - b. Once eligible, the faculty member may opt not to apply for promotion to Full Professor during their first year of eligibility, but is not restricted from applying in subsequent years.
 - c. A faculty member who is denied promotion to Full Professor shall not be prohibited from applying in subsequent years.

- d. If a faculty member is granted promotion, it will be effective at the beginning of the academic year following review.
2. Peer reviews occur when a decision is being made about promotion and at the third year prior to initial eligibility for promotion to Full Professor. The primary purpose of the midpoint peer review prior to eligibility for promotion to Full Professor is to provide feedback to the faculty member that clearly specifies whether the faculty member is making satisfactory progress in areas of teaching and advising, scholarship, and service as designated in Faculty Senate Resolution 1322, their departmental guidelines, and school guidelines, if applicable. In the year of the promotion review, the peer review committee is responsible for making a recommendation whether to promote based upon evidence of performance produced by the faculty member.
3. In the years when a decision is being made regarding promotion, faculty members will undergo both administrative and peer review processes. The primary purposes of the administrative review are to specify whether the faculty member has made satisfactory progress in areas of teaching and advising, scholarship and service as delineated in the Teacher/Scholar Model and to identify and discuss any other issues that may impact job performance.
4. Recommendations on whether to promote are made in the following order: Peer Review Committee to Department Chair; Department Chair to Academic Dean; Academic Dean to Executive Vice President for Academic Affairs and Provost; Executive Vice President for Academic Affairs and Provost to the President; President to the Board of Governors. At each of these recommendation points, the candidate for promotion shall receive a copy of the recommendation being made

and has the right to submit a written response including additional pertinent evidence within the designated period for responding. Any submitted response would then become a part of the accumulated review materials.

5. The Board of Governors makes the final decision on whether to promote a faculty member.

6.030.4.3. Evaluation. Promotion application materials submitted in portfolios shall be evaluated based on the established criteria as designated above and as developed by the University, academic Schools, and Departments. Peer reviews occur in the third year preceding eligibility for promotion to Full Professor and at the point when a decision is being made about promotion. In the years when a decision is being made regarding promotion, faculty members will undergo both administrative and peer review processes. Administrative reviews, peer review committee reports, and promotion portfolios serve as a record of employment to be used in the evaluation process.

6.030.5. Administrative Post-Promotion and other Triennial Reviews. Tenured faculty members holding Associate Professor rank will continue to participate in an administrative review process every three years beyond their review in the third year from eligibility for promotion to Full Professor. After promotion to Full Professor, each faculty member will continue to participate in an administrative review process every three years. Thus, all tenured faculty will undergo a triennial review.

6.030.5.1. Purpose. The ongoing three-year Administrative Review process is to assist the faculty member's continuous improvement as a "Teacher/Scholar" and serve as a record of employment for subsequent action related to performance. The administrative review is to provide feedback to the faculty member that clearly specifies whether the faculty member is making satisfactory continuous improvement in areas of teaching and

advising, scholarship, and service and to identify and discuss any other issues that may impact job performance.

6.030.5.2. Procedure. In each year of the faculty member's triennial review, the Department Chair informs the faculty member of the administrative review schedule and process; the faculty member prepares materials and meets with the Department Chair; the Department Chair shares the review with the School's Dean; the Dean ensures that feedback from the Department Chair is appropriate and complete, writes a brief memo, and forwards it and the review to the Executive Vice President for Academic Affairs and Provost for inclusion in the faculty member's personnel file.

6.030.6. Publication of Tenure Policies. These policies shall be published and each person holding a position on the faculty, and all future tenure-track employees at the time of hire, shall receive a copy thereof.

6.030.7. Legal Effect of Tenure Policies. This is a statement of policies within the limits of which the Board of Governors expects to exercise the powers vested in it, but these policies shall not impair, or be taken to waive, any powers now or hereafter vested in the Board under the Constitution and Laws of the State.

6.040. Faculty Conduct.

1. General. Faculty members are expected to behave in a manner compatible with the University's function as an educational institution. These expectations are established in order to protect an environment conducive to research, teaching, learning, and service that fosters integrity, personal and professional growth, a community of scholarship, academic success, and responsible citizenship. Faculty members are expected to adhere to community standards in accordance with the University's mission and expectations.

2. Jurisdiction. Jurisdiction of the University generally shall be limited to conduct which occurs on University premises or at University-sponsored or University-supervised functions. However, the University may take action, including, but not limited to, the imposition of sanctions under Section 6.040.2, against faculty members for conduct occurring in other settings, including off-campus, (1) in order to protect the physical safety of students, employees, visitors, clients, or other members of the University community, (2) if there are effects of the conduct that interfere with or limit any person's ability to participate in or benefit from the University's educational programs, activities or employment, (3) if the conduct is related to the faculty member's fitness or performance in the professional capacity of teacher or researcher or (4) if the conduct occurs when the faculty member is serving in the role of a University employee.
3. Alleged Violation of the University's Non-Discrimination Policies. Alleged violations of the University's Non-Discrimination Policies must be reported to the Compliance Officer and will be addressed in accordance with the University's Non-Discrimination Complaint Reporting and Resolution Procedure (NDCRRP). The Dean, or other supervisory authority, as defined in the NDCRRP, may impose minor discipline upon a faculty member who has been found to have violated the University's Non-Discrimination Policies. Recommendations for serious discipline short of permanent removal and loss of tenure may be appealed under Section 6.040.6.2 of this Chapter. Recommendations for permanent removal and loss of tenure may be appealed under Section 6.040.7 of this Chapter. Prior to exercising appeal rights under this Chapter, the faculty member must first exhaust all rights to appeal under the NDCRRP.

6.040.1. Faculty Discipline. Disciplinary action normally falls into two general categories: minor discipline and serious discipline.

6.040.2. Suspension. Regardless of whether minor or serious discipline is sought, in all matters where the Executive Vice President for Academic Affairs and Provost believes that a faculty member's continued performance of faculty duties poses a significant risk of harm to persons or property, the faculty member may be relieved of duties and suspended with pay during the pendency of the hearing and appeals process provided for below.

6.040.3 Minor Discipline. Minor discipline may be used to address unacceptable behaviors that, when taken alone, do not necessarily constitute cause for serious discipline.

1. Misconduct. Examples of misconduct that may result in minor discipline include, but are not limited to:

- Excessive tardiness or absenteeism;
- Uncooperative behavior (including disrespectful conduct toward students or colleagues);
- Failure to follow departmental procedures or directions;
- Failure to perform the terms of employment for reasons other than documented injury, illness, or bereavement (including, for example, failure to hold required office hours, to be reasonably available for students, or failure to attend mandatory meetings without excused absence);
- Unauthorized operation and/or misuse of University property;
- Neglect of duty or responsibilities, including unauthorized absence, which impairs teaching, research, or other normal and expected services to the University, and violation of safety procedures; and

- Use of profane, obscene, vile, abusive, or degrading language, gestures, or images that are not protected by law or academic freedom.
2. Discipline. Minor discipline includes, but is not limited to:
- Verbal reprimand;
 - Written reprimand;
 - Mandatory training;
 - Loss of prospective benefits for a stated period (for instance, use of University funds and specified facilities, or suspension of "regular" or other increase in salary);
 - Restitution;
 - Monitoring of behavior and performance; and/or
 - Reassignment of duties.
3. Implementation of Minor Discipline. It is the role of the Department Chair to monitor faculty performance and communicate concerns to faculty members and the Dean. Where the Dean seeks to impose minor discipline, they shall first meet with the faculty member and the Department Chair to discuss the concern and the potential for discipline. The purpose of this informal consultation is to reconcile disputes early and informally, when that is appropriate, by clarifying the issues involved, resolving misunderstandings, considering alternatives, and noting applicable policies.
- a. Should the Dean wish to proceed with disciplinary action after the informal consultation, the Dean shall provide the faculty member with written notice of the cause for disciplinary action in sufficient detail for the faculty member to address the specifics of the charges. If the Dean determines that the conduct or behavior in

question constitutes misconduct as those terms are used in section 6.040.1.2. of the Code of Policies, the written notice shall so state.

- b. The faculty member may respond in writing prior to the imposition of minor discipline. This response should be submitted to the Dean within seven (7) calendar days of receipt of the Dean's written notice. The Dean may extend this deadline in emergency situations, such as serious illness or incapacity of the faculty member or a member of the faculty member's immediate family. The written response, if any, will be provided to the Dean for further comment. The Dean, in consideration of the written response and further comments, if any, shall make a decision regarding the disciplinary action and notify the faculty member in writing within seven (7) calendar days of the faculty member's response. All documents from the minor disciplinary process will be maintained in the faculty member's official personnel file in the Executive Vice President for Academic Affairs and Provost's office.

4. Cumulative Minor Discipline. In the event that a faculty member is subject to minor discipline three or more times, such cumulative record of minor discipline shall constitute sufficient grounds for serious discipline as provided in section 6.040.4.

6.040.4. Serious Discipline. Serious discipline may be used to address significant unacceptable behaviors or cumulative minor discipline.

1. Misconduct. Examples of misconduct that may result in serious discipline include, but are not limited to:

- Violating University rules, regulations, policies, or procedures, including but not limited to those related to conduct of academic duties and those governing the use of University funds and University facilities;
- Violation of professional guidelines that apply to the field of the faculty member;
- Threats, intimidation, harassment, physical abuse, or any other conduct that endangers the health or safety of any person, or unreasonably interferes with a person's ability to perform University duties including teaching, research, administration, or other University activities, including public service functions on or off campus;
- Neglecting or refusing to perform reasonable assigned teaching duties, or quitting duties without due notice;
- Intentional and habitual neglect of duty in the performance of academic responsibilities;
- Willfully damaging or destroying, improperly taking, or misappropriating property owned by the University, a member of the University community, or a campus visitor, or any property used in connection with a University function or approved activity, or unauthorized use of University facilities, or the attempt to commit any such conduct;
- Forgery, alteration, misuse of University documents, records, or identification, or knowingly furnishing false information to the University;
- The illegal or unauthorized possession or use of firearms, explosives, other weapons, or hazardous chemicals; and/or
- Conviction of a felony that is clearly related to performance of University duties or academic activities;

- Other, repeated, misconduct that has not been resolved through the implementation of minor discipline

2. Discipline. Serious discipline includes, but is not limited to:

- Suspension without pay;
- Reduction of salary for a stated period or suspension of “regular” or other increase in salary;
- Reduction of academic rank or suspension of promotion eligibility; and/or
- Temporary or permanent removal of faculty appointment. The University will provide due process where loss of academic rank or permanent removal of faculty appointment is recommended in accordance with Code of Policies 6.040.5 and 6.040.7.

6.040.5. Implementation of Serious Discipline. The Deans are authorized to recommend serious discipline of a faculty member. Nothing in this policy is to be construed so as to require a Dean to pursue minor discipline or to exhaust the remedies available for minor discipline prior to pursuing serious discipline when, in the Dean's judgment, the unacceptable behavior is sufficiently egregious to warrant action under the serious discipline provisions of this policy.

6.040.5.1. Faculty Conduct Committee. The University Faculty Conduct Committee (“Committee”) shall be composed of tenured faculty members. It shall consist of one member and one alternate from different departments in each School elected by secret vote of the members of the tenured faculty. Department Chairs and University administrators may not serve on this committee. Committee members shall serve for a three-year term and shall not serve more than two consecutive terms. At the first meeting of the committee, it shall elect from among its members a chair and secretary. In the event that a procedure for conduct

review is in process, in so far as possible, the committee constituted during the beginning of the process should complete that case before the committee is dissolved. This will not prevent a committee for the ensuing year being selected and empaneled. The duties of the committee shall include such duties as indicated in Subsections 6.040.5.2, 6.040.6, and 6.040.7, and any other responsibilities as are assigned to it by the President of the University or the Chair of the Board of Governors.

6.040.5.2. Committee Rights and Duties. The Committee is charged with reviewing whether the proposed serious discipline is warranted and making recommendations for discipline of a faculty member. The Committee shall have the following rights and duties:

1. To determine the relevance and admissibility of any evidence offered at the meeting or hearing;
2. To permit a stipulation of agreed facts by the University and the faculty member;
3. To permit the incorporation into the record by reference of any document, affidavit, or other exhibit produced and desired to be incorporated in the record by the University and the faculty member;
4. To question witnesses or evidence introduced by either the University or the faculty member at any time;
5. To call additional witnesses;
6. To dismiss any action or permit informal disposition at any stage of the proceeding if agreed to by the University and the faculty member;
7. To permit, at any time, amendment of the Charge or answer so as to include matters that come to the attention of the Committee before final determination of the case, provided, however, that in such event the Committee shall grant to the University or

the faculty member such time as the Committee may determine reasonable under the circumstances to answer or explain such additional matters;

8. To dismiss any person from the hearing who interferes with or obstructs the advancement of the hearing or fails to abide by the rulings of the Chair of the Committee;
9. To have present a legal adviser to the committee, who shall be designated by the General Counsel of the University, following consultation with the Committee.

6.040.5.3. Parties' Rights Upon a Disciplinary Meeting or Hearing. The University and the faculty member shall have the following rights:

1. To be present at the meeting or hearing, which right may be waived by failure to appear;
2. To have present any legal or other adviser or counselor and to consult with such adviser or counselor during the hearing;
3. To review a statement in writing of the charges against them;
4. To present evidence by witnesses and by properly identified written statements or reports in support of the Charge or answer;
5. To hear or examine evidence presented by the other party or the Committee;
6. To question witnesses present and testifying for the other party or the Committee;
7. To make any statement to the committee in support of the Charge or answer or in mitigation or explanation of the conduct in question;
8. To be informed in writing of the findings of the Committee and its recommendation on the Charge.

The faculty member, in all cases where hearings are involved, shall have the right to request a full audio recording or written transcript of procedures (the cost of which

records shall be shared equally by the faculty member and the University). The audio recording or written transcript record of the case, the charges, exhibits, hearing records, appeals, and the findings and recommendation of the Committee, Executive Vice President of Academic Affairs and Provost, and President shall become the record of the case, shall be filed in the Office of the President of the University, shall be available only for official purposes, and, for the purpose of appeal, shall be accessible at reasonable times and places to the University, the Board of Governors of the University, and the faculty member.

6.040.6. Implementation of Serious Discipline Short of Permanent Removal and Loss of Tenure.

Where a Dean seeks to impose serious disciplinary action short of permanent removal and loss of tenure, the Dean shall first meet with the faculty member and Chair to discuss the Dean's concern and the potential for discipline. If that meeting does not resolve the issue, the Dean shall provide the faculty member with written notice of the proposed disciplinary action in sufficient detail for the faculty member to address the specifics of the charges. The faculty member shall have seven (7) calendar days after receiving the notice of proposed disciplinary action to request a meeting with the Committee. A request to meet with the Committee should be made in writing to the Dean, who will forward it promptly to the Executive Vice President for Academic Affairs and Provost. If the faculty member does not request a meeting with the Committee within the seven calendar days, the discipline will take effect.

6.040.6.1. Review by the Committee. The Executive Vice President for Academic Affairs and Provost shall convene the Committee review panel within five (5) calendar days. The Committee shall meet with the faculty member and the Dean within 15 calendar days from the date of the faculty member's request for a meeting. The Dean shall provide the

Committee with the factual basis for the proposed discipline, including any laws, policies, or regulations alleged to have been violated, as well as full explanation of why lesser or more severe discipline is not recommended. The faculty member will be provided an opportunity to respond to the allegations and to demonstrate that a lesser discipline, or no discipline, is warranted. Documentation in support of or opposition to the proposed discipline must be submitted prior to the meeting with the Committee. During the meeting with the Dean and faculty member, University Counsel and the faculty member's legal counsel may be present.

The Committee will provide its recommendation to the Executive Vice President for Academic Affairs and Provost, Dean, and the faculty member within 14 calendar days of the meeting. The Committee's recommendation must be in writing and must set forth the facts on which it based its recommendation, any laws, policies, or regulations found to have been violated, along with the recommended discipline. The Committee may recommend that the Dean's proposed discipline should be imposed, lesser discipline should be substituted, or no discipline should be imposed. The recommendation of the Committee is not binding on the Dean, but shall be given all due consideration. The Dean retains the authority to decide what discipline to impose. Within seven (7) calendar days of the committee's recommendation, the Dean will provide a written decision of the discipline to the faculty member and the Executive Vice President for Academic Affairs and Provost.

6.040.6.2. Appeals. A faculty member who has been assigned serious discipline following review by the Faculty Conduct Committee or following a finding under the Non-Discrimination Complaint Reporting and Resolution Procedure that the faculty member has violated the University's Non-Discrimination Policies may request that the Executive Vice President

for Academic Affairs and Provost review the Dean's decision on appeal. The request for appeal must be submitted, in writing, within seven (7) calendar days of receipt of the challenged decision. The Dean and/or the appealing faculty member may supplement the written record if they so desire. In considering the appeal, the Executive Vice President for Academic Affairs and Provost shall review the written record of the proceeding and any supplemental documentation provided by either party. The Executive Vice President for Academic Affairs and Provost will affirm the Dean's decision unless it appears, based on the record of the underlying proceeding and all supplemental documentation, that the decision was clearly erroneous. In the event the Executive Vice President for Academic Affairs and Provost determines the decision was clearly erroneous, they may reverse the discipline or modify it. The Executive Vice President for Academic Affairs and Provost shall notify the faculty member and the Dean of the final decision in writing, within seven (7) calendar days of receiving the written request for appeal. There shall be no further appeals from this decision. The appeal documents and decision will become part of the faculty member's personnel record.

6.040.6.3. Remediation. Serious discipline other than permanent removal of faculty appointment is intended to be temporary. Faculty members who receive serious discipline must remediate performance concerns to the satisfaction of the Dean who recommended the discipline before the discipline will be lifted. If a faculty member believes performance concerns have been remediated and the Dean disagrees or refuses to remove the discipline, the faculty member may appeal the question of remediation to the Executive Vice President for Academic Affairs and Provost in accordance with Section 6.040.3.2. A faculty member may not appeal the question of remediation before the conclusion of the initial disciplinary period.

6.040.7. Implementation of Permanent Removal and Loss of Tenure. In any case where removal for cause is the serious disciplinary action recommended by the Dean (or other appropriate administrative officer), the following due process procedure will be followed. The faculty member shall be notified in writing of the proposed action for dismissal and the charges against them, including any laws, policies, or regulations that have been violated. If the charges, which have caused the action for removal, are such that, in the best judgment of the Dean, they interfere with the faculty member's duties and/or effectiveness as a teacher, the faculty member shall be suspended with pay from part or all assigned duties during the pendency of the disciplinary hearing and appeals processes. With the exception of conditions under which a faculty member is suspended, the faculty member shall continue to receive all the benefits of the conditions of the original appointment until and unless the Board of Governors decides to terminate the faculty member's tenure status. When tenure is finally terminated, all contractual obligations between the University and the faculty member shall cease. A faculty member found not guilty at the culmination of due process shall be reinstated without prejudice.

6.040.7.1. Review by the Committee. In the event that the faculty member desires to contest the charges presented, the faculty member shall give written notice of this request to the person notifying the faculty member of the charge against them within ten (10) calendar days from the receipt of the charge. Failure by the faculty member to make a timely written request for the hearing shall constitute a waiver of the faculty member's right to a hearing before the Committee.

6.040.7.2. Convening the Committee. The Executive Vice President for Academic Affairs and Provost shall convene the Committee review panel within five (5) calendar days.

6.040.7.3. Materials Provided to the Committee. The Dean shall provide the Committee with the factual basis for the charges and proposed discipline, including any laws, policies, or regulations alleged to have been violated, as well as full explanation of why lesser discipline is not recommended. If a faculty member has been found to have violated the University's Non-Discrimination Policy, a copy of the Investigation Report, the Decision on Appeal, and all other documents considered by the Administrative Review Panel, Dean, and/or Appellate Officer shall also be provided to the Committee. The faculty member shall provide a written response to the allegations and demonstrate that a lesser discipline, or no discipline, is warranted. The answer shall specifically admit or deny the allegations set forth in the charge. A failure to answer or to deny an allegation of fact in the charge may be considered by the Committee as an admission of such fact.

Documentation in support of or opposition to the proposed discipline must be submitted to the Committee no less than five (5) calendar days before the scheduled hearing of the Committee.

6.040.7.4. Hearing of the Committee. The Committee shall hold the hearing not less than 20 and not more than 30 calendar days from the date of the faculty member's request. The Committee or its designee shall notify the faculty member in writing of the date, time, and place of hearing before the Committee. Any request for continuance shall be made by the faculty member or the University in writing to the Chair of the Committee, and the Committee shall have discretionary authority to continue the hearing for a reasonable period of time and upon a determination that the request is timely and made for good cause. The hearing shall not be open to the public, pursuant to the Open Meetings Law of the State of Missouri, if the Committee in its discretion deems the matter to be a personnel matter appropriate for a closed hearing.

- 6.040.7.5. Conduct of the Hearing. The Chair of the Committee shall preside at the hearing, and the Chair's duties shall include, but not necessarily be limited to, the following: Call the hearing to order, call the roll of the committee in attendance, ascertain the presence or absence of the faculty member and the University or its representative, read the notice of hearing, read the charge and answer, unless the reading of the same is waived, verify the notice of the charge to the faculty member, report any continuances requested or granted, establish the presence of any adviser or legal representative of either party, call to the attention of the faculty member and the faculty member's adviser any special or extraordinary procedures to be employed during the hearing and permit the faculty member to suggest or object to procedures. The committee is not required to follow formal rules of evidence. Procedural questions that arise during the hearing, but are not covered by these general rules, shall be determined by the Committee Chair. The Chair's ruling shall be final unless a member of the Committee requests consideration by the entire committee. If so, the ruling of the Committee by a majority vote shall be final.
- 6.040.7.6. Opening Statements. The University shall make opening remarks outlining the general nature of the case. The faculty member shall also make opening remarks to the Committee about the Charge, either immediately following the University's opening statement or at the conclusion of the University's presentation of the evidence, at the faculty member's election. Opening statements shall not be considered as evidence.
- 6.040.7.7. University's Evidence. The University's witnesses shall be called and identified, and evidence, written statements, or reports introduced as appropriate. The faculty member may question the University's witnesses. The Committee may question witnesses or examine evidence at the conclusion of the University's presentation or at the conclusion of each witness's testimony, as it shall so choose.

- 6.040.7.8. Faculty Member's Evidence. The faculty member's witnesses shall be called and identified and evidence, written statements, or reports introduced as appropriate. The University may question the faculty member or their witnesses. The Committee may question witnesses or examine evidence at the conclusion of the faculty member's presentation or at the conclusion of each witness's testimony, as it shall so choose.
- 6.040.7.9. Rebuttal. The Committee shall permit the University or the faculty member to offer evidence in rebuttal of the other's presentation.
- 6.040.7.10 Recommendation by Committee. Following the hearing, the Committee shall discuss its findings in closed session out of the presence of the University and faculty member. The burden of demonstrating the existence of an adequate cause for dismissal shall rest with the University and shall be satisfied by a preponderance of the evidence in the record taken as a whole. To recommend dismissal, the Committee shall determine that the charge or charges warrant dismissal. If the Committee concludes that adequate cause for dismissal has not been established, but that some discipline or penalty less than dismissal may be appropriate, it may recommend such alternative discipline. Majority vote should determine the committee's recommendation based on the findings. The Committee shall make its findings of fact and its recommendations in writing and transmit them to the faculty member, Dean, and Executive Vice President of Academic Affairs and Provost within fourteen (14) calendar days of the hearing. The faculty member may provide a written appeal of the recommendation of the Committee to the Executive Vice President of Academic Affairs and Provost within seven (7) calendar days of notification of the recommendation.
- 6.040.7.11 Recommendation by the Executive Vice President for Academic Affairs and Provost. Following receipt of the findings of fact and recommendations from the Committee, the

Executive Vice President of Academic Affairs and Provost shall review the recommendations of the Dean, the Committee, and any appeal made by the faculty member and make a recommendation to the President within seven (7) calendar days of receiving the faculty member's appeal or no more than seven (7) calendar days after the time for appeals has expired. The recommendation of the Committee is not binding, but shall be given all due consideration. The faculty member and Dean will be notified in writing of the Provost's recommendation. The faculty member may provide a written appeal of the Provost's recommendation to the President within seven (7) days of notification of the recommendation.

6.040.7.12 Recommendation by the President. Following receipt of the recommendation of the Executive Vice President of Academic Affairs and Provost, the University President shall review all recommendations and appeals and make a recommendation to the Board of Governors within seven (7) calendar days of receiving the faculty member's appeal or no more than seven (7) calendar days after the time for appeals has expired. The faculty member, Dean, and Executive Vice President of Academic Affairs and Provost will be notified in writing of the President's recommendation. The faculty member may appeal the President's recommendation in writing within seven (7) calendar days by requesting a hearing before the Board of Governors of the University.

6.040.7.13 Hearing of the Board of Governors. In the event of an appeal to the Board of Governors, the Board of Governors shall have access to the full record of the case and the appeal documents, and the Board of Governors shall provide for a hearing for the purpose of receiving additional evidence not contained in the record of the case, or the Board of Governors shall remand the matter for further evidence to the Committee. The faculty member and the University may file a written argument confined to the issues and

evidence previously submitted and contained in the record of the case for consideration by the Board of Governors. Any such written arguments shall be filed no fewer than five (5) calendar days before the date scheduled for the review hearing for consideration by the Board of Governors. The Board of Governors will attempt to schedule the hearing within 30 calendar days of the recommendation of the President; however, this deadline may be extended if necessary to ensure the attendance of a majority of members.

6.040.7.14 Decision by the Board of Governors. In the event that the faculty member does not appeal to the Board of Governors and upon receipt of a recommendation from the President of the University, the Board of Governors shall review the full record of the case and prior appeal documents, if applicable. The Board of Governors will affirm or reverse the case that adequate cause for termination has been established and can decide that some discipline or penalty less than dismissal may be appropriate. The Board of Governors shall notify the faculty member and the University in writing of its decision on the case within seven (7) calendar days of the hearing. The ruling of the Board of Governors in matters of removal shall constitute the final authority under the University's administrative structure.

6.050. Professional Leave for Faculty Members. Faculty may be eligible for professional leave.

6.050.1. General. Such leaves should enhance the faculty member's professional development and the university. Leaves may be non-sabbatical or sabbatical.

6.050.2. Eligibility. Professional leave provisions shall be applicable to all members of the full-time tenured faculty. Department Chairs and Deans may be eligible for non-sabbatical leaves in accordance with Code of Policies Chapter 10.

6.050.3. Non-Sabbatical Leaves. The policy and procedure for non-sabbatical leaves of absence for faculty members are set forth as follows.

1. A written letter of intent to request a leave of absence without pay should be submitted to the Department Chair by February 1 of the year previous to the fall semester or full year of leave without pay, or by October 1 of the year previous to the spring semester of the leave. Leaves without pay must be approved by the Department Chair, Dean, and Executive Vice President for Academic Affairs and Provost. Benefits are not provided to faculty on leave without pay.
2. Such leaves may be for the purpose of pursuing advanced study (such as completion of a terminal degree or post-doctoral work) or for securing appropriate industrial or professional experience including academic Fellowships and Military Service. Such leaves shall ordinarily not be granted for a period of less than one semester or for more than one academic year, except in instances where the best interest of the University will be served by doing so.
3. On rare occasions, such as for completion of a doctorate or other commitment that should not be interrupted, the non-sabbatical leave may be extended at the discretion of the Board of Governors.

6.050.4. Sabbatical Leaves. The policy for sabbatical leave for faculty members is set forth as follows.

6.050.4.1. General. A sabbatical leave should benefit both the faculty member and the institution within the standards of the *Teacher-Scholar* model.

6.050.4.2 Conditions. Any full-time, tenured faculty member is eligible to submit an application for a sabbatical leave after they have been awarded tenure and have begun their seventh continuous year of University employment. A faculty member is eligible to take subsequent sabbatical leaves after six continuous years of employment since the completion of the last sabbatical leave, with the application being submitted during the

sixth year. Faculty shall receive credit for employment relative to sabbatical eligibility during all legally protected leaves of absence, such as FMLA or military leave.

1. Sabbaticals may be for the purpose of pursuing advanced study, conducting research studies, appropriate educational travel, or for securing appropriate industrial or professional experience. Such leaves shall ordinarily not be granted for a period of less than one semester, nor for more than one academic year, nor across academic years, except in instances where the best interest of the University will be served by doing so.
2. Sabbaticals will not be granted for the purpose of full-time teaching. A faculty member may request a sabbatical to hold a visiting appointment at another university that includes compensation for no more than one course per semester. Sabbaticals for the purpose of obtaining employment outside of teaching will be considered if the work plays an important role in completing the sabbatical project and in enhancing the faculty member's teaching and/or scholarship in the discipline. In such cases, the employment itself should not be the only outcome of the experience. On sabbatical, it is expected that the faculty member will divest of all on-campus responsibilities and devote their full attention to the proposed sabbatical activities.
3. A faculty member who has been recommended for serious discipline will not be considered for sabbatical leave unless/until the faculty member has been exonerated or the serious discipline remediated.

6.050.4.3. Selection Process for Applications. The Executive Vice President for Academic Affairs and Provost and Faculty Senate, in consultation with the President and the Deans, shall develop policies and selection procedures for Sabbatical Applications. Applications for

sabbatical leave should be transmitted according to the administrative procedure/guidelines.

- 6.050.4.4. Compensation. Compensation for sabbatical leaves shall be based on a percentage of the academic year salary of the year in which the leave will occur. For sabbatical leaves of one semester, the compensation rate shall be 100 percent. For sabbatical leaves of two semesters (one academic year), the compensation rate shall be 80 percent. Time spent on sabbatical leave shall be considered time in rank for the calculation of years of service for promotion.
- 6.050.4.5. Limitation of Expense. In general, no more than two percent of the total of the combined salaries of the academic and administrative staff shall be used for sabbatical leave during any academic year. The cost of a faculty sabbatical may be a factor in determining whether it can be granted.
- 6.050.4.6. Agreement to Return. Any faculty member granted a leave during which they are paid by the University shall agree to return to the service of the institution for a period of two academic years and to complete all reporting requirements within the designated period. Persons failing to return to the institution or to complete the reporting requirements shall refund all sabbatical pay. Those who return for less than two years shall refund proportionate sabbatical pay.
- 6.050.4.7. Rights and Privileges. During their sabbatical leave, the faculty member shall be entitled to rights and privileges to which they are usually entitled as a faculty member, including fringe benefits and standard salary increases. The faculty member will divest of all on-campus responsibilities or assigned duties during the sabbatical period. University funds will not be authorized to cover costs associated with travel while on sabbatical unless those costs were explicitly included in the sabbatical application, do not exceed the

departmental allowance, and were explicitly approved as part of the sabbatical request.

The retention of an office is determined on a case-by-case basis among the Dean, the Department Chair, and the faculty member.

6.050.4.8. Sabbatical Deferral. A faculty member may request a deferral of an approved sabbatical for up to one year without submitting a new application. If an approved sabbatical cannot be fulfilled within the deferred timeframe, faculty must re-apply for a sabbatical. Any deferment is subject to Board of Governors' approval. The University retains the right to cancel or defer sabbaticals for any reason.

Faculty may request sabbatical deferment in any of the following circumstances:

- i. Physical or mental illness or other physical condition;
- ii. Pregnancy, birth of a child, adoption, or foster child placement;
- iii. Substantial caregiver responsibility for the faculty member's spouse, partner, parent, or child;
- iv. University, state, federal, or international advisories restricting travel;
- v. Military service or obligations; or
- vi. Other unusual circumstances that significantly impair the faculty member's ability to devote his or her full time and attention to the sabbatical project.

The steps for deferring a sabbatical are available from the office of the Executive Vice President for Academic Affairs and Provost.

6.060. Graduate Faculty. The graduate faculty policy of the University is set forth as follows.

6.060.1. Graduate Courses, Research, and Advisement. Except as herein provided, only members of the graduate faculty will teach graduate courses, direct graduate research, and serve as academic advisers for graduate students.

6.060.2. Criteria for Appointments. Faculty members should meet at least three of the following four qualifications for appointment to the graduate faculty:

1. Possess a terminal degree or exhibit professional competence that provides a special expertise to teach courses and direct research at the graduate level;
2. Show evidence of scholarly productivity in the past five years, such as articles in peer-reviewed journals, serving as a peer-reviewer or serving on an editorial board, demonstrated external funding, presentation of papers before professional audiences, or demonstrated exhibits of proficiency in such fields as creative arts or music;
3. Show evidence of professional development in the past five years, such as maintaining membership in at least one learned society or association of their discipline or attending meetings, lectures, or conferences of organizations or learned societies in their discipline; and
4. Show evidence of ability to direct thesis work, scholarship, or independent study at the graduate level or to serve on thesis committees.

6.060.3. Appointment Procedure. When a faculty member becomes eligible for appointment to the graduate faculty, the faculty member's Department Chair may recommend the faculty member for such appointment. Following such recommendation, the Dean of the faculty member's School will review and make recommendation to the Executive Vice President for Academic Affairs and Provost for review and comment. The Executive Vice President for Academic Affairs and Provost will submit the recommendation to the President of the University for decision. The Department Chair or Dean may withdraw the recommendation at any time during the various reviews. The President of the

University will make the decision on behalf of the University to appoint or not to appoint the recommended faculty member to the graduate faculty.

- 6.060.4. Term of Appointments. Appointment to the graduate faculty by the President of the University normally will be for a term of five years, or until the next periodic review of all graduate faculty appointments. The Graduate Faculty members serve at the will of the President. Graduate Faculty appointment may be discontinued at any point prior to the normal term by the President upon recommendation of the Executive Vice President for Academic Affairs and Provost.
- 6.060.5. Periodic Review. The Executive Vice President for Academic Affairs and Provost will initiate the review of graduate faculty appointments at least once in every five-year period. The Department Chair will submit recommendations for new appointments or reappointments to the graduate faculty, and the recommendations will be processed in accordance with the appointment procedure set forth above in this section.
- 6.060.6. Temporary Service. A faculty member who is not a member of the graduate faculty may teach occasional graduate courses or serve on graduate committees after receiving special permission from the Executive Vice President for Academic Affairs and Provost upon the request of the Dean.
- 6.070. Emeritus Recognition. Full-time faculty and staff members holding faculty status may be honored upon their retirement by designation of emeritus status if they have accumulated the equivalent of ten years of satisfactory service at the University. Faculty members who were administered serious discipline during their employment at the University or who are under current investigation could be denied emeritus status. The Provost seeks the recommendation of the Dean for each eligible faculty member

regarding award of emeritus status. Such status is accorded by the President of the University to the recipients at appropriate times and places.

Source: By resolution of the Board dated December 3, 2022, Chapter 6 was amended by repealing the chapter in its entirety in lieu thereof a new Chapter 6